

# HOLLIS PLANNING BOARD MINUTES

August 18, 2020

Final

**PLANNING BOARD MEMBERS PRESENT:** Bill Moseley – Chairman; Doug Cleveland – Vice Chairman, Ben Ming, Chet Rogers, Matt Hartnett and David Petry (Ex-Officio for Selectmen)  
Alternates: Julie Mook

**ABSENT:** Rick Hardy

**STAFF PRESENT:** Mark Fougere, Town Planner; Evan Clements, Assistant Planner

**THIS MEETING WAS CONDUCTED VIRTUALLY WITHOUT A PHYSICAL LOCATION  
IN COMPLIANCE WITH GOVERNOR SUNUNU'S EMERGENCY ORDERS #12, 16, & 17**

**1. CALL TO ORDER: 7:00 PM.** B. Moseley led the group in the Pledge of Allegiance.

**2. APPROVAL OF PLANNING BOARD MINUTES:**

- a. **July 21, 2020 Minutes** – Motioned by D. Cleveland; seconded by C. Rogers – passed unanimously

**3. DISCUSSION AND STAFF BRIEFING**

a. Agenda Additions and Deletions:

- **PB2020-025:** 8 & 8-1 North Pepperell Road – Lot Line Revision was requested by the applicant to be tabled. Motion to table – Motioned by J. Peters; seconded by D. Cleveland – motioned passed unanimously

b. Committee Reports – none

c. Staff Report – none

d. Regional Impact – none

**4. SIGNATURE OF PLANS**

- a. PB2020-021: 9 Market Place – Buckley's Café Site Plan Amendment – Motioned by J. Peters; seconded by D. Cleveland – passed unanimously

**5. HEARINGS**

- a. **Scenic Road Hearing:** Eversource – Planned removal of one tree at 91 Richardson Road to allow for the installation of a new pole.

Crystal Franciosi, Eversource explained that they were replacing an existing pole with a taller pole. The only other option was to remove a line of trees on the other side of the road.

B. Moseley asked why the pole was being replaced.

C. Franciosi stated that the exiting pole was a reject pole and needed to be replaced.

J. Peters asked why the new pole would need a tree to be removed if the existing pole would not.

C. Franciosi stated that the new pole would be 40' tall instead of 35' tall and that is why there is a new conflict.

49 M. Hartnett asked what kind of tree is the tree to be removed.

50

51 C. Franciosi stated that she believed that it was an oak tree.

52

53 Motion to approve removal of the subject tree at 91 Richardson Road – Motioned by D.

54 Petry; seconded by J. Peters – motion passed unanimously

55

56 b. **File PB2020:001** – Proposed Design Review, site plan application outlining the  
57 construction of a 4,500 square foot gas station and one apartment and an 8,000 square  
58 foot retail store on a 4.19 acre site, Map 5 Lot 28, 82 Runnells Bridge Road, Applicant  
59 Runnells Bridge Realty Trust Owner Team Yarmo Investment 1, LLC, Zoned  
60 Commercial.

61

62 M. Fougere summarized the proposal so far and noted that the applicant had been  
63 working with NHDOT regarding their driveway permit. He noted that the applicant may  
64 purchase the abutting property to the west.

65

66 Jason Hill, TF Moran, stated that they were still working with NHDOT to finalize their  
67 driveway permit. He did confirm that the applicant was buying the abutter's property to  
68 the west of the site and would be dedicating a slope easement on that property for the  
69 retaining wall necessary to construct the driveway. He stated that NHDOT agrees with  
70 the proposed improvements to NH 111. He noted that the traffic light at Depot Road and  
71 NH 111 and South Depot and NH 111 would not need to be changed.

72

73 B. Moseley raised concerns relating to traffic flow and interruptions through the site,  
74 especially for delivery trucks. He noted that snow accumulation would further narrow the  
75 travel lanes.

76

77 J. Peters noted that the proposed screening must be installed on the subject property.

78

79 D. Petry asked about outstanding reports.

80

81 M. Fougere stated that they have submitted elevations and renderings at the last meeting.  
82 The traffic study has not been reviewed in detail as of yet. The Town Engineer did a  
83 drainage analysis of the site plan prior to the driveway being moved. Currently there are  
84 no request for waivers as we are waiting for the site layout to be locked down.

85

86 D. Petry asked if the site is in the aquifer protection overlay zone.

87

88 M. Fougere stated that this has been discussed on numerous occasions and was addressed  
89 two years ago when the property was first subdivided. He stated that in the aquifer  
90 ordinance, which is common language in most aquifer ordinances, there are provisions  
91 for property owners to do an onsite analysis to see if the soils meet the criteria of an  
92 aquifer, which requires deep sands and gravels. The applicant two years ago hired

Terracon to do an analysis. The report concluded that, due to the ledge profiles under the site, which the site was not in the aquifer. The Town sent the study out for 3<sup>rd</sup> party review with Emory & Garret, who agreed with the findings of Terracon.

J. Peters asked about reports being directly received from NHDOT.

M. Fougere stated that staff have not received anything from NHDOT directly but those are documents that staff will be looking for.

M. Hartnett noted a concern regarding fire trucks getting around delivery trucks parked at the loading dock for the dry goods retail building.

**Motion to continue discussion and the public hearing to the September 15, 2020 meeting** – Motioned by D. Petry; seconded by J. Peters – unanimously passed

- b. **File PB2020:009 – Design Review** - Proposed minor subdivision of an existing 13.4 acre property into four lots, two of which will be back lots served by a private way. 4 Spaulding Lane, Map 8 Lot 48, Applicant & Owner: Etchstone Properties, Inc., Zoned R&A.

M. Fougere began by stating that the Board conducted a site walk on the subject property and that the walk was productive. The Board would like to see that the three new lots all be accessed from the common driveway to remove the additional third curb cut. Discussed with the applicant to designate a no cut buffer along Spaulding Lane to preserve rural character. R. Hardy had a question about the soils and lot layout but was satisfied based on findings from the site walk.

Jim Petropulos, P.E. Haner Swanson, noted that the Board reviewed house, well, septic locations as well as lot lines. Wetlands and soil conditions were also discussed. He noted that the property owner was comfortable with Lot 3 being accessed from the common driveway. He agreed with the no cut buffer along Spaulding. He also noted that changing the center line of the common drive to preserve a rock wall near the roadway and better follow the farmer's path. The lower 100' of the common drive may be able to achieve this but the first half has to stay where proposed to allow for the required buildable area.

**Motion to move the proposal to Final Review** – Motioned by D. Cleveland; seconded by M. Hartnett – unanimously passed

- c. **File PB2020:019** – Proposed site plan for two 780 square foot ground mounted solar arrays, Map 9 Lot 70-46, 33 Twiss Lane, Applicant/Owner Piyush & Nimisha Patel, Zoned R&A.

- 135 M. Fougere noted that the proposal has changed slightly. Instead of two arrays there will  
136 now just be one array that is longer. The applicant is asking for a waiver to go up to 13' in  
137 height. Additional fencing and screening is proposed.
- 138 Piyush Patel, property owner, noted the new single array would consist of 48 solar panels  
139 and would not exceed 1,120 SF in area. In addition to the landscaping installed on the  
140 east property line but there would also be some additional plantings in front of the pool  
141 area. He is requesting a waiver to allow for a maximum height of 13' to allow for snow  
142 clearance in the winter.
- 143 J. Peters noted that the array was staked out in the manner that the Planning board prefers  
144 during a site walk and thanked the property owner for doing that.
- 145 D. Cleveland asked about changing the design to 10' in height. This would provide some  
146 clearance for snow but still stay in compliance with the regulation.
- 147 J. Peters stated that he walked the property from the street and could barely see the top of  
148 the simulated 13' array.
- 149 B. Ming noted that the street level was higher than the array.
- 150 J. Peters stated that while he wants to adhere to the regulations as written, the applicant  
151 has taken the necessary steps to screen the array and the array is far off the road, so a  
152 height waiver might be warranted.
- 153 B. Moseley asked the applicant if 11.5' would be sufficient to reduce his concern related  
154 to snow accumulation impacting the array.
- 155 P. Patel stated that 11.5' would be sufficient.
- 156 B. Moseley reiterated that the Board was considering the height waiver due to the array's  
157 significant distance from the road and the enhanced screening proposed by the applicant.
- 158 **Motion to approve the application with a Waiver to allow for a ground mount solar**  
159 **array with a maximum height of 11.5' in lieu of the 10' permitted** – Motioned by J.  
160 Peters; seconded by C. Rogers – passed unanimously
- 161 d. **File PB2020:020** – Proposed amendment to an approved subdivision plan to allow  
162 intrusion into a required 100 foot wide buffer along street, Map 20 Lot 23-2, Nartoff  
163 Road, Owner M. Gilbert/M. Hollis, Trustees of Tringoson Trust, Applicant White Birch  
164 Builders of Merr. Inc., Zoned R&A.
- 165  
166 M. Fougere stated that a compromise was discussed at the site walk and the applicant has  
167 agreed that the 100' no cut buffer would remain intact except for the proposed  
168 disturbance to allow for the installation of a septic field approximately 70' from the road.  
169 The drainage would be installed per the approved plan with as few trees as possible  
170 removed. The Board wants a detailed grading plan showing that any drainage from the  
171 site does not flow onto Nartoff Road.

172 Kevin Anderson, Meridian Land Services, noted that there would be approximately 6-8  
173 trees that will be disturbed to install the septic system. This would proposal would still  
174 meet the intent of the no cut buffer.

175 J. Peters noted that the original plan allowed for tree removal in the buffer to install the  
176 wellhead. He believed that placing the well in the back of the property and the leach field  
177 in the front would result in a smaller disturbance in the 100' no cut buffer. B. Moseley  
178 concurred. J. Peters also noted that the Board had concerns about the well for the  
179 neighbor across the street. After talking to the neighbor, it was revealed that the  
180 neighbor's well was behind his house and sufficiently far away from the proposed septic  
181 system.

182 B. Moseley requested that trees to be removed should be flagged and inspected by  
183 Planning staff prior to removal.

184 M. Fougere noted that it may be possible to run utilities from the road underground  
185 without removing any additional trees.

186 E. Clements asked about the proposed location of the pool as the original intent of this  
187 proposal was to create space in the back yard for a pool. He clarified that the proposed  
188 plan was likely to create the space that would be needed to install the pool in the back  
189 yard.

190 K. Anderson stated that was correct.

191 D. Petry asked about final deliverables.

192 B. Moseley stated that the detailed grading plan would be needed for final approval.

193 M. Fougere clarified that the grading plan would need to meet the intent of the drainage  
194 regulations at the time of the subdivision.

195 K. Anderson asked if the detention basin could be modified to better follow the natural  
196 topography of the property and to avoid removing some significant trees.

197 **Motion to approve with conditions** – Motioned by J. Peters; seconded M. Hartnett –  
198 passed unanimously

199 e. **File PB2020:022** – Proposed **Final** minor subdivision application of an existing 17.75  
200 acre property into five frontage lots, Map 2 Lot 44, North Pepperell Road & Worcester  
201 Road, Owner/Applicant: Kathleen & Hans Olson, Zoned R&A Residential & Agriculture.  
202

203 M. Fougere noted that this was a final proposal for a 5 lot subdivision with the three lots  
204 on Worcester Road being accessed from a shared common drive. He noted a previous site  
205 walk where the Board evaluated the submitted Wildlife Study. H also noted that the  
206 Conservation Commission has reviewed the proposal and has no further comments. The

207 Fire Chief has agreed to waive the cistern fee for these lots in exchange for the dedication  
208 of a cistern easement.

209 **Motion to accept application** – Motioned by D. Cleveland; seconded by J. Peters –  
210 passed unanimously

211 Tom Carr, Meridian Land Services, discussed changes that were made to the plan after  
212 the site walk, including the shared common drive, additional landscaping, easement areas,  
213 and drainage. He did note that the current conditions were described as row crops in the  
214 drainage study but the Town Engineer thought the current conditions were more like a  
215 field or meadow. When the project began the field was planted with grain to stabilize the  
216 property but historically it was used for row crops.

217 Mike Vignale, KV Partners and Town Engineer, stated that he believes that the property  
218 is a recovering meadow. The Board needs to decide what the existing conditions were at  
219 the time the application was first submitted.

220 J. Peters asked about the difference between row crops and a recovering meadow.

221 M. Vignale stated that row crops allow for more water to flow off the property where a  
222 meadow will retain more water.

223 D. Cleveland asked about the location of the leach field on lot 2-44 as there was a  
224 concern from the abutter to the east of that lot regarding the proximity to their well.

225 T. Carr noted that the leach field setback in Hollis is 20' and the well protection radius is  
226 entirely within lot 2-44. The proposal meets these requirements.

227 M. Fougere noted that the proposed location for the septic system on lot 2-44, according  
228 to the test pit data, is advantageous.

229 T. Carr stated that they can locate the well on the abutting lot.

230 M. Hartnett asked about a cluster of trees along North Pepperell on lot 44-4 that were  
231 going to be removed for the driveway.

232 T. Carr responded that they had moved the location of the driveway to preserve the trees  
233 in question.

234 J. Peters asked about an abutter comment relating to the proposed detention basin on lot  
235 44-4.

236 M. Fougere responded that he discussed the matter with the abutter and explained that the  
237 detention basin would be lower than Deer Run and with the proposed screening it would  
238 be difficult to see.

239 **Public Hearing**

240 Stacy Thompson; 153 N. Pepperell Road – noted that she was with several abutters.  
241 Asked about 3d renderings that were discussed at the January meeting and why they had  
242 not submitted it yet. Asked about a wavier for a traffic analysis and noted the poor  
243 conditions of the roads. Had concerns with construction equipment damaging the roads.  
244 Raised concerns about drainage and wells and stated she had well issues when the  
245 Franklin’s Way development went in. Says she gets flooded in the spring and neighbors  
246 have dry wells.

247 T. Carr responded that the landscaping plan was created in coordination with the Town  
248 Landscape Inspector and addresses the rural character issue. He stated that the five wells  
249 that would be added to the neighborhood across 17 acres is unlikely to negatively affect  
250 neighbor wells. He stated that the properties on North Pepperell Road are above the  
251 proposed development and should be unaffected.

252 B. Moseley asked about damage to the road during construction.

253 T. Carr responded by saying that if a construction company does damage the road it is the  
254 responsibility of the Town get them to fix it.

255 Mark Hyde; 64 Worcester Road – raised concerns related to drainage into the back yard  
256 of his property and the proximity of the leach field to his property. He noted that the  
257 installation of the leach field would require trees to be removed and the resulting loss of  
258 screening. He also stated that his well is 600’ deep due to the nature of neighborhood and  
259 is concerned by new wells. He also stated concerns related to wildlife.

260 T. Carr stated that the required setback for a septic system is 20’ and the proposed system  
261 is farther than that. He also stated that the trees to be removed are located on the property  
262 and can be removed. The applicant stands behind the Wildlife Study.

263 B. Moseley asked about water supply and production.

264 T. Carr responded that the wells in the area are bedrock wells and they are hit and miss.  
265 One well can be 700’ and another is 150’ with 10 GPM. If this was a stratified drift  
266 aquifer then it would be more of a shared water supply that could be impacted and  
267 studied. To study a bed rock well is difficult and time consuming and the density of the  
268 minor subdivision does not warrant it.

269 Daniel Palmer; 167 North Pepperell Road – stated that the resident’s concerns are valid  
270 and should not be dismissed by the applicant. Brought up the 3d renderings and asked  
271 why the renderings have not been delivered. Stated that the landscaping along Worcester  
272 Road does not adhere to the rural character ordinance and he believes that this  
273 development will dramatically change the character of the neighborhood.

274 **Motion to continue to the September 1, 2020 meeting** – Motioned by D. Petry;  
275 seconded J. Peters – passed unanimously

276 f. **File PB2020:024 – Design Review** Proposed site plan/subdivision for the development of  
 277 a 50 unit Housing for Older Persons development on a 36.09 acre property, Map 41 Lots  
 278 25, 28 & 44, 365 Silver Lake Road, Applicant: Fieldstone, Owner: Raisanen Homes Elite,  
 279 LLC, Zoned R&A.  
 280

281 M. Fougere began by stating that this is a Design Review plan outlines a proposal to  
 282 construct 50 housing units under the provisions of the Housing For Older Persons  
 283 Ordinance. The site lies at 365 Silver Lake Road and consists of three lots totaling 36.09  
 284 acres. A new 3,200 foot long looped private access road is proposed just north of the  
 285 existing drive on the property; a NHDOT driveway permit shall be required. A single  
 286 family home presently exists on the site that will be demolished with this proposal.  
 287 Specific provisions of the ordinance include: maximum 15% impermeable surfaces, 40%  
 288 open space, a site specific soil survey to support density and a detailed water supply  
 289 study. This site directly abuts Witches Spring Brook, a sensitive environmental area.

290 M. Fougere stated that the Board requested a grading plan that did not require any  
 291 waivers. The submitted alternative plan shows access to the site by crossing Witches  
 292 Spring Brook. This plan shows compliance for the first 1,000' but the remaining 2,100' of  
 293 road is not shown. The site plan showing access from the existing driveway of 365 Silver  
 294 Lake Road included the entire road profile but would require waivers. He noted that the  
 295 Board should consider a site walk.

296 B. Moseley stated that considering the rested materials were not supplied in time,  
 297 discussion of this proposal should wait. J. Peters agreed and stated that he wants to see a  
 298 plan that does not require waivers before continued discussion on this proposal.

299 C. Rogers stated that the Board should not schedule a site walk until the plans have been  
 300 submitted. J. Peters and D. Petry agreed.

301 Chad Brannon, Fieldstone Land Consultants, stated that he thought the discussion was  
 302 going to be focused on rural character and apologized for the confusion.

303 **Motion to table to the September 1, 2020 Meeting** – Motioned by J. Peters; seconded  
 304 by C. Rogers – passed unanimously

305 g. **File PB2020:023 – Design Review:** Proposed site plan to show the addition of one  
 306 residential unit to a site with 5 existing housing units with a ZBA condition that a number  
 307 of existing structures be removed from the site, Map 59 Lot 24, Applicant/Owner:  
 308 Raymond Lorden, 11 Federal Hill Road, Zoned Recreation.  
 309

310 M. Fougere stated that this this property is the location of the former Wallace's Grove  
 311 camp site on Silver Lake. The subject property originally operated as a recreation camp  
 312 site with seasonal cabins. Throughout the years a pavilion building was installed to act as  
 313 a recreation hall and community space. The pavilion had a concession stand and kitchen  
 314 that served hot, prepared foods. Development at the camp progressed through the years



315 and additional residential structures were built. Seasonal cabins were converted to year-  
316 round living while maintaining questionable sewage disposal practices. The site currently  
317 contains 5 detached residential structures, 6 unoccupied waterfront structures a bath  
318 house, garage, and the pavilion. The 6 unoccupied waterfront structures have not been  
319 occupied in many years and are considered an abandoned use.

320 This Site Plan proposal shows the demolition of 6 existing unoccupied waterfront  
321 structures as well as the existing pavilion building. The 6 unoccupied waterfront  
322 structures and pavilion are located within the 250' shoreland protection area and 100'  
323 wetland buffer area. A new 18'x34' one bedroom detached dwelling unit is proposed to  
324 be constructed in their place. This dwelling unit will be built within the 150' shoreland  
325 natural woodland buffer area. The subject property has been granted three (3) variances  
326 by the ZBA to accommodate this proposal.

327 Randy Haight, Meridian Land Services, stated that the plan is to remove 6 buildings and  
328 add a 1 new building. They will remove approximately 5,000 SF of impervious roof area  
329 and add only 800 SF of new impervious roof. He did state that the septic systems have  
330 been inspected and are in working order. Units 7 and 11 will have a new combined septic  
331 system along with the new 1 bedroom unit.

332 D. Petry stated that the pavilion is not a residential building and the cottages are not year  
333 round dwellings so it is not an exchange in kind. Asked M. Fougere to clarify zoning.

334 M. Fougere stated that the applicant received a variance from the ZBA to allow the new  
335 dwelling unit. It was conditioned on the removal of the cottages that were determined to  
336 be abandoned.

337 D. Petry asked if any additional residential dwelling units can be added to this property.

338 M. Fougere stated that they would have to go back to the ZBA to do so.

339 J. Mook asked about the other structures on the property and the nature of the new  
340 dwelling.

341 R. Haight stated that the other structures are rental units currently in use and the new unit  
342 would be a rental as well.

343 D. Cleveland asked about a potential site walk.

344 E. Clements stated that the ZBA set the total number of bedroom because of the existing  
345 septic system so that is why the new unit is a 1 bedroom.

346 M. Hartnett noted that the location of the new building will be located in the parking lot.

347 R. Haight said they needed to place the structure outside the 100' wetland buffer.

348 **Public Hearing**

349 **Public Hearing closed**

350 Scheduled a site walk for September 1, 2020 at 5:00pm.

351 **Motion to table to September 1, 2020** – Motioned by J. Peters; seconded by D.  
352 Cleveland – passed unanimously

353

354

355      **6. OTHER BUSINESS**

356

357 Discussed beginning to work on zoning changes. Set September material due date of  
358 August 25<sup>th</sup>. Reviewed Solar Application guide.

359

## 360 7. ADJOURN

361 There being no further business, D. Petry presented a non-debatable motion to adjourn.  
362 Motion seconded by J. Peters and unanimously approved. Meeting adjourns at 9:48 PM.

363 Respectfully submitted,

364 Evan J. Clements,

365 Assistant Planner